

REMARKS

Applicant has canceled claims 1-46 during prosecution of this patent application. Applicant is not conceding in this patent application that said canceled and amended claims are not patentable over the art cited by the Examiner, since the claim cancellations and amendments are only for facilitating expeditious prosecution of this patent application. Applicant respectfully reserves the right to pursue said canceled and amended claims, and other claims, in one or more continuations and/or divisional patent applications.

In a telephonic interview between Applicant's Representative Jack P. Friedman and Examiner Nicholas S. Ulrich on May 2, 2008, Applicants' Representative presented new claims 47-48 for the Examiner's consideration and no agreement was reached as to claims 47-48. The Examiner suggested that, in the subsequent response to the office action mailed January 15, 2008, Applicant should attempt to distinguish the pending claims from the prior art reference of Shelton, Fig. 9 and a description thereof beginning on Shelton, page 12.

The feature in new claims 47-48 of "wherein the identifier is not a Universal Resource Locator (URL)" is supported in the specification, page 13, lines 27-30.

The feature in new claims 47-48 of "wherein said receiving the identifier from the user browser comprises retrieving the identifier from a data entry field of a web page after the user browser has entered the identifier into the data entry field" is in canceled claim 31 and is supported in the specification, page 10, lines 4-5.

The Examiner rejected claims 33-39 under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter.

The Examiner rejected claim 25 under 35 U.S.C. § 112, second paragraph, as allegedly

being incomplete for omitting essential steps, such omission amounting to a gap between the steps.

The Examiner rejected claims 25-46 under 35 U.S.C. § 102(b) as allegedly being anticipated by Shelton et al. (US 5954798).

The Examiner rejected claims 26-46 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Shelton et al. (US 5954798) in view of Gavrilesco et al. (US 2002/0198941 A1).

Applicant respectfully traverses the § 101, § 112, § 102 and § 103 rejections, with the following arguments.

35 U.S.C. § 101

The Examiner rejected claims 33-39 under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter.

Since claims 33-39 have been canceled, the rejection of claims 33-39 under 35 U.S.C. § 101 is moot.

35 U.S.C. § 112, Second Paragraph

The Examiner rejected claim 25 under 35 U.S.C. § 112, second paragraph, as allegedly being incomplete for omitting essential steps, such omission amounting to a gap between the steps.

Since claim 25 has been canceled, the rejection of claim 25 under 35 U.S.C. § 112, second paragraph is moot.

35 U.S.C. § 102(b)

The Examiner rejected claims 25-46 under 35 U.S.C. § 102(b) as allegedly being anticipated by Shelton et al. (US 5954798).

Since claims 25-46 have been canceled, the rejection of claims 25-46 under 35 U.S.C. § 102(b) is moot.

In accordance with the Examiner's suggestion in a telephonic interview between Applicant's Representative Jack P. Friedman and Examiner Nicholas S. Ulrich on May 2, 2008, Applicant next attempts to distinguish the pending claims 47-48 from the prior art reference of Shelton, Fig. 9 and a description thereof beginning on Shelton, page 12.

New Claim 47

In distinguishing claim 47 from Shelton, the following arguments will compare features and logic of claim 47 with Shelton, col. 12, line 4 - col. 10, line 43 which describes Shelton, FIG. 9 in terms of the configuration of Shelton, FIG. 2. Noting that the features and logic of claim 47 are depicted in FIG. 1 of the present patent application (Applicants' FIG. 1"), Applicant assumes in the following arguments that:

the claimed first user 22 in Applicants' FIG. 1 is represented in Shelton by the consumer at terminal 104A in Shelton, FIG. 2;

the claimed user browser 20 in Applicants' FIG. 1 is represented in Shelton by the web browser 114A at terminal 104A in Shelton, FIG. 2;

the claimed second user 32 in Applicants' FIG. 1 is represented in Shelton by the agent at terminal 104N in Shelton, FIG. 2;

the claimed consultant browser 30 in Applicants' FIG. 1 is represented in Shelton by the web browser 114N at terminal 104N in Shelton, FIG. 2;

the claimed server 10 in Applicants' FIG. 1 is represented in Shelton by the WTS server 144 in Shelton, FIG. 2.

Applicant respectfully contends that Shelton does not anticipate new claims 47, because Shelton does not teach each and every feature of claim 47.

As a first example of why Shelton does not anticipate claim 47, Shelton does not teach the feature: "a first user of the user browser identifying, to a second user of the consultant browser via telephone or email from the first user to the second user, information that the first user is unable to locate and desires to obtain".

Shelton, col. 12, lines 28-36 teaches that the consumer at terminal 104A identifies to the agent at terminal 104N the session ID of the current session between the consumer at terminal 104A and the WTS server 144, which is not claimed "information that the first user desires to obtain". The session ID is information that the consumer already knows and is not information that the consumer is unable to locate and desires to obtain, as required by claim 47.

Accordingly, Shelton does not anticipate claim 47.

As a second example of why Shelton does not anticipate claim 47, Shelton does not teach the feature: "responsive to the first user identifying the desired information to the second user, said second user navigating to the desired information using the consultant browser".

Shelton does not teach that the agent at terminal 104N navigates to the desired information that the consumer at terminal 104A is unable to obtain.

Accordingly, Shelton does not anticipate claim 47.

As a third example of why Shelton does not anticipate claim 47, Shelton does not teach the feature: “responsive to the second user navigating to the desired information, said consultant browser transmitting to the server context information identifying an access to the desired information”.

Shelton does not teach that the web browser 114N transmits to the WTS server 144 context information identifying an access to the desired information that the consumer at terminal 104A is unable to obtain.

Applicant notes that Shelton, col. 12, lines 43-46 recites: “Master Applet at terminal 104N sends a command to WTS server 144, to retrieve the information in participant list 1, URL history list 1, and data list 1 (see FIG. 6) for the Agent Applet”. However, Shelton does not teach that said “command” comprises “context information identifying an access to the information identified as being desired by the consumer at terminal 104A, and which the consumer is unable to obtain, as required by the preceding feature of claim 47.

Accordingly, Shelton does not anticipate claim 47.

As a fourth example of why Shelton does not anticipate claim 47, Shelton does not teach the feature: “said server receiving the transmitted context information and storing the received context information in the consultant context”.

The WTS server 144 does not receive the context information that was never transmitted to the WTS server 144 and does not store the context information that the WTS server 144 never received.

Accordingly, Shelton does not anticipate claim 47.

As a fifth example of why Shelton does not anticipate claim 47, Shelton does not teach the feature: "said server receiving from the consultant browser a request for an identifier pertaining to the context information".

Although the WTS server 44 generates a ParticipantID for the browser 114N, the ParticipantID is not generated in response to a request for the ParticipantID, but rather in response to a request to join the session of the agent at terminal 104N (see Shelton, col. 12, lines 55-67). Moreover, the ParticipantID is not "an identifier pertaining to the context information" as required by claim 47.

Accordingly, Shelton does not anticipate claim 47.

As a sixth example of why Shelton does not anticipate claim 47, Shelton does not teach the feature: "said server generating the identifier in response to the received request, said identifier not being a Universal Resource Locator (URL)".

Aside from the fact that the ParticipantID generated by the WTS server 44 is not the claimed identifier as explained *supra* in conjunction with the fifth example, Shelton does not recite a negative limitation of the identifier not being a Universal Resource Locator (URL).

Accordingly, Shelton does not anticipate claim 47.

As a seventh example of why Shelton does not anticipate claim 47, Shelton does not teach the feature: “after said generating the identifier, said server generating an association relating to the identifier, said association associating the identifier with the context information by comprising a pointer to the context information”.

Shelton, col. 12, lines 58-62 teach that the WTS server 44 generates an association of ParticipantAddress relating the ParticipantID identifier, which is not a teaching of the preceding feature of claim 47 that the association associates the identifier with the context information by comprising a pointer to the context information.

Accordingly, Shelton does not anticipate claim 47.

As a eight example of why Shelton does not anticipate claim 47, Shelton does not teach the feature: “after said generating the association, said server storing the identifier and the association in a repository coupled to the server and providing the identifier to the consultant browser”.

Shelton, col. 12, lines 63-67 teach storing the identifier (ParticipantID) and association (ParticipantAddress), but does not teach providing identifier (ParticipantID) to the web browser 114N as required in the preceding feature of claim 47.

Accordingly, Shelton does not anticipate claim 47.

As a ninth example of why Shelton does not anticipate claim 47, Shelton does not teach the feature: “after said server providing the identifier to the consultant browser, said consultant

browser providing the identifier to the second user”.

Shelton does not teach that the web browser 114N provides the identifier (ParticipantID) to the agent at terminal 104N.

Accordingly, Shelton does not anticipate claim 47.

As a tenth example of why Shelton does not anticipate claim 47, Shelton does not teach the feature: “after said consultant browser providing the identifier to the second user, said second user providing the identifier to the first user via telephone or email from the second user to the first user”.

Shelton does not teach that the agent at terminal 104N provides the identifier (ParticipantID) to the consumer at terminal 104A.

Accordingly, Shelton does not anticipate claim 47.

As a eleventh example of why Shelton does not anticipate claim 47, Shelton does not teach the feature: “after said second user providing the identifier to the first user, said user browser receiving the identifier from the first user”.

Shelton does not teach that the web browser 114A receives the identifier (ParticipantID) from the consumer at terminal 104A.

Accordingly, Shelton does not anticipate claim 47.

As a twelfth example of why Shelton does not anticipate claim 47, Shelton does not teach the feature: “after said user browser receiving the identifier from the first user, said server

receiving the identifier from the user browser, wherein said receiving the identifier from the user browser comprises retrieving the identifier from a data entry field of a web page after the user browser has entered the identifier into the data entry field”.

Shelton does not teach that the WTS server 144 receives the identifier (ParticipantID) from a data entry field of a web page after the web browser 114A has entered the identifier (ParticipantID) into the data entry field.

Accordingly, Shelton does not anticipate claim 47.

As a thirteenth example of why Shelton does not anticipate claim 47, Shelton does not teach the feature: “after said server receiving the identifier from the user browser, said server identifying the stored identifier in the repository from the received identifier and using the stored association relating to the identifier to identify the context information stored in the consultant context”.

First, Shelton does not teach that the WTS server 144 identifies the stored identifier in the repository from the received identifier which is not received by the WTSserver 144 to begin with, let alone using any received identifier to identify the stored identifier in the repository.

Second, Shelton does not teach using the ParticipantID in any manner after storing the ParticipantID and certainly does not teach using the ParticipantID to identify the context information stored in the consultant context.

Accordingly, Shelton does not anticipate claim 47.

As a fourteenth example of why Shelton does not anticipate claim 47, Shelton does not

teach the feature: “after said server using the stored association, said server storing the identified context information in the user context, wherein the server is configured to transmit the context information in the user context to the user browser for enabling the user to access, via the user browser, the desired information”.

Shelton does not even come close to teaching the preceding feature of claim 47.

Accordingly, Shelton does not anticipate claim 47.

Based on the preceding arguments, Applicants respectfully maintain that Shelton does not anticipate claim 47, and that claim 47 are in condition for allowance.

Claim 48

Claim 48 is similar to claim 47 except all of the steps in claim 47 are performed by the server. Otherwise, the arguments articulated *supra* as to why Shelton does not anticipate claim 47 apply to claim 48. Accordingly, Shelton does not anticipate claim 48.

35 U.S.C. § 103(a)

The Examiner rejected claims 26-46 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Shelton et al. (US 5954798) in view of Gavrilescu et al. (US 2002/0198941 A1).

Since claims 26-46 have been canceled, the rejection of claims 26-46 under 35 U.S.C. § 103(a) is moot.

New Claims 47-48

Applicant respectfully contends that claim 47-48 are not unpatentable over Shelton in view of Gavrilescu, because Shelton in view of Gavrilescu does not teach or suggest each and every feature of claim 47-48.

Applicant refers to Applicant's arguments *supra* in traversal of the rejection of claim 47-48 as allegedly anticipated by Shelton under 35 U.S.C. § 102(b), wherein Applicant argued that Shelton does not teach numerous features of claim 47-48. Applicant respectfully contends that Shelton in view of Gavrilescu does not teach or suggest the same numerous features of claim 47-48, based on the same arguments presented by Applicant in the traversal of the rejection of claim 47-48 as allegedly anticipated by Shelton

Based on the preceding arguments, Applicant respectfully maintains that claim 47-48 are not unpatentable over Shelton in view of Gavrilescu, and that claim 47-48 are in condition for allowance.

CONCLUSION

Based on the preceding arguments, Applicant respectfully believes that all pending claims and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes that anything further would be helpful to place the application in better condition for allowance, Applicant invites the Examiner to contact Applicant's representative at the telephone number listed below. The Director is hereby authorized to charge and/or credit Deposit Account 09-0457 (IBM).

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Jack P. Friedman
Jack P. Friedman
Registration No. 44,688

Schmeiser, Olsen & Watts
22 Century Hill Drive - Suite 302
Latham, New York 12110
Telephone (518) 220-1850
Facsimile (518) 220-1857
E-mail: jfriedman@iplawusa.com